



2187 \$

PTO/SB/21 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>	Application Number	<b>09/606,734</b>	
	Filing Date	<b>June 29, 2000</b>	
	First Named Inventor	<b>David Black et al.</b>	
	Art Unit	<b>2187</b>	
	Examiner Name	<b>Than Vinh Nguyen</b>	
Total Number of Pages in This Submission	34	Attorney Docket Number	<b>EMC2-056PUS (formerly 07072-113001)</b>

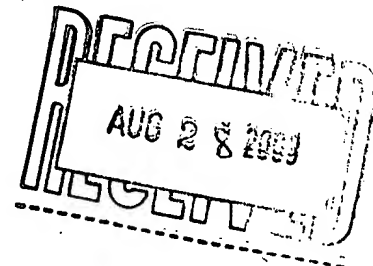
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Receipted Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Copy of Transmittal Letter
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Copy of Petition to Correct Inventorship - Declaration of Michael Shulman
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		Copy of Petition to Correct Inventorship - Declaration of Robert A. Thibault
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Copy of Officer Declaration
		Copy of Declaration and Power of Attorney Letter
Remarks In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to charge deposit account No. 50-0845 for the cost of such extension.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		<b>RECEIVED</b> AUG 25 2003 Technology Center 2100
Firm or Individual	<b>Richard M. Sharkansky</b> Daly, Crowley & Mofford, LLP	
Signature	<i>[Signature]</i>	
Date	<b>8-18-03</b>	

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, T.C./A.U. 2187, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:	
Typed or printed	<b>Judith C. Tarrant</b>
Signature	<i>Judith C Tarrant</i>
Date	<b>8/18/03</b>

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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.





PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$) **410****C mplete if Known**

Application Number	09/606,734
Filing Date	June 29, 2000
First Named Inventor	David Black et al.
Examiner Name	Than Vinh Nguyen
Art Unit	2187
Attorney Docket No.	EMC2-056PUS (formerly 07072-113901)

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name**50-0845****Daly, Crowley & Mofford, LLP**

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			0

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** = 0	X 18	= 0
Independent Claims	-3** = 0	X 84	= 0
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) **0**

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	410
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **410****SUBMITTED BY**

(Complete (if applicable))

Name (Print/Type)	<b>Richard M. Sharkansky</b>	Registration No. (Attorney/Agent)	<b>25,800</b>	Telephone	<b>781.401.9988 ext. 23</b>
Signature		Date	<b>8-10-03</b>		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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PTO/SB/21 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/606,734	
	Filing Date	June 29, 2000	
	First Named Inventor	David Black et al.	
	Art Unit	2187	
	Examiner Name	Than Vinh Nguyen	
Total Number of Pages in This Submission	15	Attorney Docket Number	EMC2-056PUS (formerly 07072-113001)

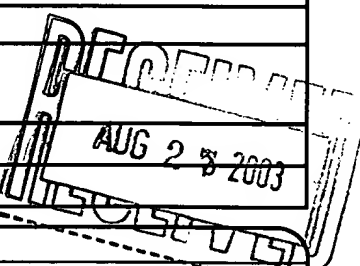
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AUG 25 2003

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ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Change of Correspondence Address	Return Receipted Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	Transmittal Letter
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	Petition To Correct Inventorship - Declaration of Michael Shulman
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> CD, Number of CD(s) _____	Petition To Correct Inventorship - Declaration of Robert A. Thibault
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Officer Declaration
		Declaration and Power of Attorney
Remarks In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to charge deposit account No. 50-0845 for the cost of such extension.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	Richard M. Sharkansky Daly, Crowley & Mofford, LLP	Reg. No. 25,800
Signature		
Date	8-18-03	



CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			
Typed or printed	Judith C. Tarrant		
Signature	Judith C. Tarrant	Date	8/18/03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **130**

## Complete if Known

Application Number	09/606,734
Filing Date	June 29, 2000
First Named Inventor	David Black
Examiner Name	Than Vinh Nguyen
Art Unit	2187
Attorney Docket No.	EMC2-056PUS (formerly 07072-113001)

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

50-0845

Daly, Crowley & Mofford, LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

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1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** = 0	18	0
Multiple Dependent	-3** = 0	84	0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
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1204 84	2204 42	** Reissue independent claims over original patent
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SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

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1802 900	2802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

130

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Richard M. Sharkansky	Registration No. (Attorney/Agent)	25,800	Telephone	781.401.9988 xt. 23
Signature		Date			8-13-03

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/606,734  
Applicant : David Black et al.  
Filed : June 29, 2000  
T.C./A.U. : 2187  
Examiner : Than Vinh Nguyen

Confirmation No.: 6696

**RECEIVED**

AUG 25 2003

Docket No. : EMC2-056PUS (formerly 07072/113001)  
Customer No. : 022494

Technology Center 2100

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

8/18/03  
Date of Signature  
and Mail Deposit

By: Judith C. Tarrant  
Judith C. Tarrant

---

**LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please be advised that patent application Serial No. 09/606,734 filed June 29, 2000, and U. S. Patent No. 6,061,274 issued May 9, 2000 were, at the time the invention of application Serial No. 09/606,734 was made, owned by EMC Corporation.

Application No.: 09/606,734

While Applicant respectfully disagrees with the Examiner's position as set forth in the Office Action mailed March 19, 2003, U. S. Patent No. 6,061,274 is not a reference under the provisions of 35 U. S. C. 103 (c).

See also MPEP section 706.02(1)(2).

In the event any additional fee is required, please charge such amount to Patent and Trademark Office Deposit Account No. 50-0845.

Please continue to send all correspondence to:

Richard M. Sharkansky  
Daly, Crowley & Mofford, LLP  
275 Turnpike Street, Suite 101  
Canton, MA 02021-2354  
Telephone (781) 401-9988 x23  
Facsimile (781) 401-9966

Respectfully submitted,

August 15, 2003  
Date

Krishnendu Gupta  
Krishnendu Gupta  
Attorney for Applicant(s)  
Registration No. 37,977

Q:\emc2\EMC2-056PUS(113001)\emc2-056bus letter 14Aug03.doc



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David Black et al.

Serial No.: 09/606,734

Filing Date: June 29, 2000

Entitled: DATA STORAGE SYSTEM  
HAVING SEPARATE DATA  
TRANSFER SECTION AND  
MESSAGE NETWORK

Docket No.: EMC2-056PUS (formerly 07072-  
113001)

Group Art Unit: 2187

Examiner: Than Vinh Nguyen

**RECEIVED**

AUG 25 2003

Technology Center 2100

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

8/18/03  
Date of Signature  
and Mail Deposit

By: Judith C. Tarrant  
Judith C. Tarrant

TRANSMITTAL LETTER

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith are two Petitions to Correct Inventorship under §1.48(a), consented to by the Assignee as indicated by the Officer Declaration, and a check for \$130.00 in payment of the fee required under 37 C.F.R. 1.17(h). Also, filed herewith is a Combined

Application No.: 09/606,734  
Filed: June 29, 2000  
Attorney Docket No.: EMC2-056PUS

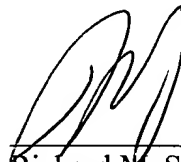
Declaration and Power of Attorney, signed by the proper inventors.

In the event any additional fee is required, please charge such amount to Patent and Trademark Office Deposit Account No. 50-0845.

Respectfully submitted,

8/18/03

\_\_\_\_\_  
Date

\_\_\_\_\_  


Richard M. Sharkansky  
Attorney for Applicant(s)  
Reg. No.: 25,800  
Daly, Crowley, & Mofford, LLP  
275 Turnpike Street, Suite 101  
Canton, MA 02021-2354  
Telephone: (781) 401-9988, 23  
Facsimile: (781) 401-9966

Q:\emc2\EMC2-0568pus trnsmt of petitn to crct